

CITT

CITIZENS' INDEPENDENT TRANSPORTATION TRUST

Project and Financial Review Committee

December 13, 2005

Stephen P. Clark Center

111 NW 1st Street

10th Floor Conference Room

10 a.m.

Revised Summary of Minutes

MEMBERS PRESENT:

Miles Moss, P.E., Chairman

Hon. Linda Zilber

Marc A. Buoniconti

Hon. James Reeder

Susannah Troner

Theodore Wilde

OTHERS PRESENT:

Nan A. Markowitz, Executive Director, OCITT

Roosevelt Bradley, Director, MDT

Isabel G. Jettinghoff, PEG/IMG

Lou Wolinetz, IMG

Peter Evans, Metro Aqua Cats Inc.

Maria E. Johnson, OCITT

David Tinder, PWD

Mayra Bustamante, MDT

Jorge Fernandez, MDT

Lilia Medina, City of Miami Transportation

Michelle Simmons, MDT

Lourdes Gomez, MDT

Hilda M. Fernandez, ACM, Miami Beach

Patrice Rosemond, OCITT

Joanna Santiago, OCITT

Nestor Toledo, OCITT

Marion Pratt, MDT

Sasha Page, IMG

Marlene Amaro, OCITT

Charles Parkinson, MDT

Patty David, OCITT

Betty Alexander, DBD

Anthony Smith, MDT

Sahan Mukherji, IMG

John C. Prats, OCITT

ROLL CALL

With a quorum present, Mr. Moss called the meeting to order at 10:08 a.m.

APPROVAL OF AGENDA

Ms. Zilber moved to approve the agenda, seconded by Mr. Reeder and carried without dissent.

CITIZENS' COMMENTS

None

APPROVAL OF MINUTES

Mr. Wilde and Ms. Troner asked that the November 8 2005, minutes be revised to include language stating that 7B was a retroactive item. In addition, Mr. Wilde requested that Ms. Johnson's discussion regarding the \$98 million be included in the minutes. Mr. Moss suggested that the approval of the minutes be postponed until the January 23, 2006, meeting.

PRESENTATION

Task 4 – Risk Assessment Model

Mr. Lou Wolinetz, IMG, provided a PowerPoint presentation on “Financial Consulting Services for CITT Task 4 Update” (a copy of the presentation was distributed). Mr. Sahan Mukherji, IMG, explained the Task 4 Methodology, the Risk Assessment Model, and the Task 4 Initial Findings. Mr. Buoniconti stated that the operating expenses are as much as the capital expenses that were not seen in the initial pro forma. Mr. Roosevelt Bradley, Director, MDT, commented that the corridors are very expensive to operate, PTP funds are not enough and the General Fund proceeds are needed to support the PTP projects. Mr. Bradley further stated that the presentation could be misleading because it appears that MDT is operating without General fund dollars and the PTP does not have enough money. Mr. Wolinetz stated that there should be another source of funds to cover the PTP projects. Mr. Wilde stated that the Surtax should have relieved some of the pressure from General fund, but it could not due to new projects, such as the expansion of the Metrorail. Mr. Wolinetz stated that the more you build the more you need to find other funding sources. Mr. Wilde asked if the pro forma included the assumption for the automated fair box. Ms. Bustamante commented that MDT is working on the new pro forma and it is in balance with the surplus, which includes the 3.5 percent increase (in Maintenance of Operations) from the General fund. Ms. Bustamante further stated that MDT representatives will meet with the Consultants to include this in the model. Mr. Bradley noted that when the Consultants present the Risk Assessment Model they should look at everything or the model would be misleading. Mr. Markowitz stated that the Consultants work for the CITT not for the County, and the Risk Assessment Model is a draft.

REPORTS

OCITT Monthly Reports

Ms. Maria Johnson reported on the “Charter County Transit System Sales Surtax (Surtax) Collection Report as of November 2005” and the “CITT Cash Analysis of the Surtax for FY05.” Mr. Wilde asked if there would be quarterly invoicing from MDT. Ms. Markowitz informed Mr. Wilde that the next invoice will be in January 2006. Ms. Johnson also provided a review on the “OCITT PTP Active Contracts Status Report for PWD” and the “OCITT New Contracts for November 2005.” Mr. Wilde asked Ms. Johnson to explain the footnote that states all contracts are 100% PTP funded. Ms. Joanna Santiago, OCITT, responded that the portion of the contract that is listed only refers to the portion that is PTP funded. Mr. Wilde suggested that the footnote should say all listed amounts are 100% PTP funded.

ACTION ITEMS

- A. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE AWARD OF COMPETITIVELY BID CONTRACTS (ITEMS 1.1 AND 1.2), CONTRACT MODIFICATION (3.2) AND AWARD OF BID WAIVERS FOR EMERGENCY PURCHASES (4.9) IN THE AMOUNT OF \$503,320 TO BE FUNDED IN PART BY CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN THE AMOUNT OF \$136,062 FOR THE PURCHASE OF GOODS AND SERVICES PROCESSED BY THE DEPARTMENT OF PROCUREMENT MANAGEMENT (DPM) ON BEHALF OF MIAMI-DADE TRANSIT (MDT) AND PUBLIC WORKS DEPARTMENT (PWD)

Ms. Zilber moved to approve Action Item 7A; seconded by Mr. Reeder and carried without dissent.

Ms. Troner asked if the canopies are required because of hurricane damage. Ms. Lourdes Gomez, MDT, responded yes. Mr. Reeder stated that if the damage came from Hurricane Wilma, the County insurance should pay for it. Ms. Bustamante stated that MDT would research that information.

- B. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS FOR VARIOUS PURCHASE ORDERS IN THE AMOUNT OF \$940,345 ISSUED BY MIAMI-DADE TRANSIT (MDT) FOR CAPITAL IMPROVEMENTS, MAINTENANCE, AND OPERATIONS IN SUPPORT OF THE PEOPLE'S TRANSPORTATION PLAN (PTP) FOR THE MONTHS OF AUGUST, SEPTEMBER, AND OCTOBER 2005

Ms. Zilber moved to approve Action Item 7B; seconded by Mr. Wilde and passed with opposition by Mr. Wilde.

Mr. Wilde asked, "What is a luminary?". Mr. Moss replied that it is the lighting fixture. Mr. Wilde voiced his concerns that the fixtures would be taken from the \$397 million defined as a capital expenditure. Ms. Bustamante responded that the lighting fixtures are included in the capital expenditures. Mr. Wilde continued to state that the cost of the projects have exceeded its original budget. Ms. Troner requested for a copy of the Miscellaneous Capital Projects Amendment. Ms. Bustamante informed Ms. Troner that she would provide her with a copy of the amendment. Mr. Wilde stated that the item was presented as capital but should have included maintenance cost. Ms. Bustamante responded that the lamination upgrades cost \$2 million. Mr. Wilde asked how much of the \$397 million has been spent. Ms. Bustamante responded that the total would be presented at an upcoming meeting. Mr. Wilde stated that the \$397 million will need to be increased and then an amendment will be needed. Ms. Bustamante stated that MDT does not need an amendment to increase the amount. Mr. Libhaber stated that the \$397 million was an estimate of the costs, similar to the estimate for the North and East West Corridor. The dollar amount could change, but that the project could not, unless there is an amendment to the PTP.

- C. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN THE AMOUNT OF \$250,000 FOR THE PUBLIC WORKS DEPARTMENT'S USE OF PROFESSIONAL SERVICE AGREEMENT (PSA) WITH 25 FIRMS, WHICH PROVIDE SOILS FOUNDATIONS AND MATERIALS TESTING SERVICES FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT NO. E03-PW-05

Mr. Buoniconti moved to approve Action Item 7C; seconded by Ms. Zilber and carried without dissent.

Mr. Buoniconti asked why items C, D, and E are retroactive payments, and why they were not included in the PTP earlier. Mr. David Tinder, PTP Coordinator, PWD, explained that C and E are for soil services testing and land surveying and item D is for construction engineering inspection. Mr. Tinder explained that the PWD budgeted 25% for construction engineering services for in-house and consultants. The contracts are for retroactive approval of existing pools of contracts that were prepared by the Capital Improvement Office, and at the time PTP funds were not listed. Mr. Buoniconti asked when the projects were completed. Mr. Tinder stated the projects are ongoing. Mr. Buoniconti stated that the BCC has approved the contracts so there should be a budget. Mr. Tinder stated that the contracts were budgeted for in the actual project budget. Mr. Tinder also explained that all projects are performed using a pool of consultants for the soil and surveying services. Ms. Zilber asked if the soil and surveying services have to be completed before each project. Mr. Tinder stated the only change being made to the contract is to add PTP funding into the allowable funding sources. Mr. Buoniconti expressed his concern over how many more retroactive contracts the CITT will have to approve. Mr. Tinder responded that he does not anticipate bringing another retroactive item to the CITT. Mr. Buoniconti asked what will happen if the item is not approved. Ms. Markowitz explained that the item would go before the Regional Transportation Committee and the BCC.

- D. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN THE AMOUNT OF \$225,000 FOR THE PUBLIC WORKS DEPARTMENT'S (PWD) USE OF PROFESSIONAL SERVICE AGREEMENT (PSA) WITH EIGHT (8) FIRMS, WHICH PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) - PROJECT NO. E03-PW-02, E)

Ms. Zilber moved to approve Item 7D; seconded by Ms. Troner and carried without dissent.

- E. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN THE AMOUNT OF \$500,000 FOR THE PUBLIC WORKS DEPARTMENT'S (PWD) USE OF PROFESSIONAL SERVICE AGREEMENT (PSA) WITH 38 FIRMS, THAT PROVIDE GENERAL LAND AND ENGINEERING SURVEYING SERVICES FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) - PROJECT NO. E01-PW-04

Ms. Zilber moved to approve Action Item 7E; seconded by Ms. Troner and carried without dissent.

- F. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AWARDING A PROJECT RECOMMENDATION BETWEEN UNDER POWER CORP., AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT – CICC 7360-0/08 RPQ NO. 20050174 FOR TRAFFIC SIGNAL INSTALLATION FUNDED BY THE CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN THE AMOUNT OF \$132,399

Mr. Moss moved to approve Action Item 7F; seconded by Ms. Zilber and carried without dissent.

Ms. Troner asked if consideration was given to use a round-about. Mr. Tinder replied no. Ms. Troner asked if the PWD is trying to use more round-about. Mr. Tinder replied that round-about are being considered for less congested streets.

- G. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AWARDING A PROJECT RECOMMENDATION BETWEEN UNDER POWER CORP., AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT – CICC 7360-0/08 RPQ NO. 20050168 FOR TRAFFIC SIGNAL INSTALLATION FUNDED BY THE CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN THE AMOUNT OF \$201,540

Mr. Moss moved to approve Action Item 7G; seconded by Ms. Zilber and carried without dissent.

- H. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, DECLARING THE ACQUISITION OF LAND FOR THE RIGHT-OF-WAY NEEDED FOR IMPROVEMENTS TO SW 127 AVENUE, FROM SW 120 STREET TO SW 88 STREET (NORTH KENDALL DRIVE; STATE ROAD NO. 94), TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MANAGER TO EMPLOY APPRAISERS AND EXPERT WITNESSES, OBTAIN ENVIRONMENTAL AUDITS, AND ACQUIRE THE RIGHT-OF-WAY AT VALUES ESTABLISHED BY THE APPRAISALS OR BY EMINENT DOMAIN PROCEEDINGS, INCLUDING A DECLARATION OF TAKING AS NECESSARY - PROJECT NO. 662360

Ms. Zilber moved to approve Action Item 7H; seconded by Mr. Reeder and carried without dissent.

Mr. Buoniconti asked if there are any schools in the area and if there are any school flashing lights. Mr. Tinder replied that there is a school in the area and school flashing lights are already installed. Mr. Wilde asked if the properties are residential or business. Mr. Tinder responded that Florida Power and Light owns the property.

OLD BUSINESS

CITT Authority Related to the Allocation Formula (distributed)

Mr. Wilde requested that discussion on the CITT authority be postponed to the next Project and Financial Review meeting. Mr. Moss questioned what would happen if the CITT does not agree with MDT's allocation formula. Mr. Libhaber responded that if MDT had over estimated the allocation formula the CITT could reject the contract. Mr. Libhaber further commented that if the items are not related to MDT, the CITT could pass a resolution asking the BCC to return the Surtax funds. Mr. Libhaber stated that the CITT could be part of the process for formulating the allocation formula. Mr. Buoniconti suggested getting a private attorney, pro bono, to obtain an independent legal opinion regarding the CITT's authority.

Ms. Markowitz urged the Members to reconsider asking the BCC for the authority to do what they (the BCC) themselves are unable to authorize. Mr. George Fernandez, Chief, Budget and Performance Reporting, MDT, stated that MDT met with IMG consultants in December, and the information regarding the allocation formula was given to them at that time.

Transit Village

Mr. Charles Parkinson, Chief, Joint Development, Management and Grants, MDT, reported that as part of the 2006 Federal Appropriations Bill that was signed by President Bush, the Transit Village project received an addition \$400,000 in the current fiscal year. He also stated that FDOT's six-year tentative work program includes an additional \$573,000 for the Transit Village project, which requires a dollar-for-dollar local match. The total funding went from \$14.998 million to a total of \$16.535 million. Mr. Fernandez interjected that the BCC approved a Memorandum of Understanding with the Miami-Dade Empowerment Trust on December 6, 2005. He also reported that the environmental assessment responses were sent back to the FTA and they have not responded. Mr. Fernandez further stated that the joint development concept letter remains in draft form. Mr. Anthony Smith, Engineer 3, MDT, reported that the City of Miami is resurfacing the roadway on 62nd Street from 32nd Avenue to 5th Place. Mr. Smith also commented that he received a letter from Kevin Brown, City of Miami consultant, that states there will be no impact to the Transit Village. Mr. Smith added that the bus shelter coordinator stated that there will not be any bus shelters because MDT will be pulling the buses off of 7th Avenue and 62nd Street and bringing them into the Transit Village.

Rescinding of Resolution 05-083

Ms. Zilber commented that the current municipalities worked hard obtaining the half-percent tax and it would be unfair if those funds were reduced. Ms. Zilber added that the new municipalities continue to receive service from the County. Mr. Moss commented that the Members could also recommend to the BCC that no change be made to the allocation to current municipalities, and that funding for the new municipalities come from another source. Ms. Hilda Fernandez, Assistant City Manager, City of Miami Beach, and Lilia Medina, City of Miami, shared their concerns regarding the reduction of the 20% from the current municipalities, and they suggested that the 20% remain the same and to find another solution to fund new municipalities. After some discussion among the members, Mr. Buoniconti suggested a resolution to the BCC, keeping the 20% for current municipalities the same, as well as not disturbing the 80% for PTP projects. The CITT recommended an increase in the Local Option Gas Tax (LOGT) to fund new municipalities. Mr. Wilde suggested that the LOGT be restored to the previous level. Mr. Buoniconti moved to approve the motion to approve the resolution; the motion was seconded by Ms. Zilber and passed with opposition from Mr. Reeder. Mr. Reeder asked for a report on whether the amount of funds spent by in UMSA, was equivalent funds spent in each of the new municipalities.

NEW BUSINESS

Special Transportation Services (STS)

Ms. Bustamante stated that MDT will be asking the BCC for an amendment to the budget that ended September 30, 2005. She further stated that an increase will be needed for Special Transportation Services (STS) from the original \$5.1 million to \$7.4 million, but it will not increase the \$55 million PTP allocation. Ms. Bustamante then stated that a second amendment would be for an increase of \$1.9 million, due to an increase in the cost. Mr. Moss asked if the CITT would have to approve the changes. Ms. Johnson stated that it may change the adjustments that will come in January 2006 from MDT. Mr. Libhaber stated that the STS amendment does not require approval from the CITT as long as MDT stays inside the \$55 million and the same would apply to the \$1.9 million.

Ms. Markowitz distributed and reviewed the 2006 CITT calendar.

CITIZENS' COMMENTS

None

ANNOUNCEMENTS

The next Project & Financial Review Committee meeting will be on Monday, January 23, 2005, at 2 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:02 p.m.

MINUTES ARE IN SUMMARY FORM
FOR VERBATIM TRANSCRIPTIONS OF THIS MEETING, PLEASE REQUEST COPIES OF THE DIGITAL
RECORDING FROM THE OFFICE OF THE CITT AT
305-375-3481